IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 372 of 2006

M/S. KRISHNA OIL MILLS & ANR.
V/S
RAJ. FINANCIAL CORPN. & ORS.

Mr. RS CHOUDHARY, for the appellant / petitioner
Mr. RAJESH JOSHI, for the respondent.

Date of Order : 12.1.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Vide order dt. 23.1.2006 show cause notice was issued, inter alia reciting, that at present the petitioner is ready to deposit a sum of Rs. 4 lacs with the respondent no.2 before 31.1.2006, and that the petitioner is willing to square up the accounts with the respondent no.2, and to pay the reasonable dues of respondent no.2. However, the petitioner needs some breathing time for making arrangement.

It is contended that a sum of Rs. 4 lacs has been deposited, and therefore, learned counsel submits, that the petition be admitted.

On the other hand, learned counsel for the respondents submits, that the request of the petitioner for settlement of the matter was considered after the order of issuance of show cause notice, by the State Level Committee, in its meeting on 8.5.2006, and it was resolved, that the petitioner was offered to pay a further sum of Rs. 1 lakh more, so as to settle the matter, but the petitioner did not agree to that, and therefore the case for settlement was rejected.

It is not in dispute that the petitioner did not deposit a sum of Rs. One Lakh, nor is it shown that recital about the petitioner being not ready to deposit that amount is wrong. In that view of the matter, when the respondents earnestly made efforts to settle the matter, but the petitioner did not agree, the petitioner cannot be said to be entitled to any relief in this writ petition.

In that view of the matter, no interference is required to be made in this writ petition, in favour of the petitioner. The writ petition is, therefore, dismissed summarily.

(N.P.GUPTA), J.